

REMARKS

Applicant hereby responds to the final Office Action of September 27, 2007, in the above-referenced patent application. Applicant thanks the Examiner for carefully considering the application and for indicating that claims 2-5, 7-10, 12, 14, 16-24, and 26-28 contain allowable subject matter.

Disposition of Claims

Claims 1-28 are pending. By way of this reply, claims 2, 7-9, 12, 14, 16, 23, and 26 have been rewritten in independent form. Thus, claims 1, 2, 7-9, 12, 14-16, 23, and 26 are now independent.

Allowable Subject Matter

As indicated in the instant Office Action, claims 2-5, 7-10, 12, 14, 16-24, and 26-28 contain allowable subject matter and would be allowable if rewritten in independent form. By way of this reply, claims 2, 7-9, 12, 14, 16, 23, and 26 have been rewritten in independent form. Accordingly, claims 2-5, 7-10, 12, 14, 16-24, and 26-28 are now in condition for allowance.

Claim Amendments

By way of this reply, independent claims 1 and 15 have been amended to clarify that the "opaque image" comprises "identification information." Dependent claims 11 and 23 have been amended to further limit the "opaque image" to comprise a "logo." Claims 2, 7-9, 12, 14, 16, 23, and 26 have been rewritten in independent form. No new matter has been added by way of these amendments.

Rejections under 35 U.S.C. § 103

Claims 1, 6, 11, 13, 15 and 25 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,617,149 ("Lee") in view of U.S. Patent No. 6,847,408 ("Webb"). By way of this reply, independent claims 1 and 15 have been amended as explained above. To the extent that the rejections may still apply to the amended claims, the rejections are respectfully traversed.

Independent claims 1 and 15 have been amended to expressly recite that the “opaque image” comprises “identification information.” The instant Office Action (page 5, lines 9-13) appears to agree that Lee and Webb are both silent with respect to logos. The instant Office Action appears to further suggest that by clarifying what the claimed “opaque image” represents, the rejections might be overcome.

More specifically, Lee is completely silent with respect to detecting “an opaque image comprising identification information” as claimed. This is not surprising as Lee is directed to detecting scene changes, and has nothing to do with detecting “identification information.” Thus, there is no need in Lee to deal with “an opaque image comprising identification information” as claimed.

Webb, which is directed to *reducing* noise in an image sequence, also fails to show or suggest the claimed “opaque image comprising identification information,” and fails to supply that which Lee lacks. This is also evidenced by the fact that Webb was relied upon by the instant Office Action merely to supply a “given noise level.” Indeed, Webb, as in Lee discussed above, does not deal with “identification information” and is completely silent with respect to “an opaque image” as claimed.

Furthermore, Applicant respectfully submits that there is no reason, motivation or suggestion to combine Lee and Webb. The noise level as used in embodiments of the claimed invention is for *detecting* an opaque image comprising identification information. Both Lee and Webb are completely silent with respect to the identification information. Lee does not deal with noise at all, and Webb intends to reduce image noise but does not provide a “given noise level” as claimed.

In view of the above, Lee and Webb, whether considered separately or in combination, fail to show or suggest the claimed invention as recited in independent claims 1 and 15 of the present application. In addition, there is no motivation or suggestion to combine Lee and Webb. Thus, independent claims 1 and 15 of the present application are patentable over Lee and Webb for at least the reasons set forth above. Dependent claims 6, 11, 13 and 25 are allowable for at least the same reasons.

Dependent claims 11, 13 and 25 have been amended to further limit the “opaque image” to comprise a “logo,” and thus should be allowable for at least this additional limitation.

Accordingly, withdrawal of the rejections of 1, 6, 11, 13, 15 and 25 is respectfully requested.

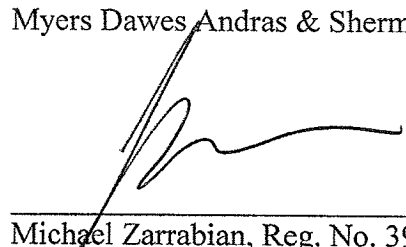
CONCLUSION

In view of the foregoing amendments and remarks, Applicant believes that the claims are in condition for allowance. Re-examination, reconsideration and allowance of the claims are respectfully requested. If the Examiner believes that a telephone interview will help further the prosecution of this case, Applicant respectfully requests that the undersigned attorney be contacted at the listed telephone number.

Please direct all correspondence to **Myers, Dawes Andras & Sherman, LLP**, 19900 MacArthur Blvd., 11th Floor, Irvine, California 92612.

Respectfully submitted,

Myers Dawes Andras & Sherman, LLP



Michael Zarrabian, Reg. No. 39,886
19900 MacArthur Boulevard, 11th Floor
Irvine, CA 92612
Tel: (949) 223-9600
Fax: (949) 223-9610
Customer No. 23386